

MAINOR WIRTH, LLP
6018 S. Ft. Apache Rd., Ste. 150, Las Vegas, NV 89148
Phone: (702) 464-5000 | Fax: (702) 463-4440

BRADLEY S. MAINOR, ESQ.
Nevada Bar No. 7434
JOSEPH J. WIRTH, ESQ.
Nevada Bar No. 10280
ASH MARIE BLACKBURN, ESQ.
Nevada Bar No. 14712
JOSEPH W. GUINDY, ESQ.
Nevada Bar No. 15556
MAINOR WIRTH, LLP
6018 S. Fort Apache Road, Ste. 150
Las Vegas, NV 89148-5652
Tel: (702) 464-5000
Fax: (702) 463-4440
ash@mwinyury.com
Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CHRIS MICHAELS, individually; DEIAN
BORISLAV KOLEV, individually; and
CHRISTINE LE, individually;

Plaintiff,

vs.

DMITRY PUSTYLNikov, individually;
KNIGHT TRANSPORTATION, INC., a
Foreign Corporation; DOES I through XX,
inclusive; and ROE CORPORATIONS I
through XX, inclusive,

Defendants.

CASE NO: 2:21-cv-00484-JAD-BNW

**STIPULATION TO EXTEND
DISCOVERY PLAN AND SCHEDULING
ORDER
(SECOND REQUEST)**

**SUBMITTED IN COMPLIANCE WITH
LR 26-1(B)**

Plaintiffs, CHRIS MICHAELS, DEIAN BORISLAV KOLEV, and CHRISTINE LE, by
and through their attorneys of record BRADLEY S. MAINOR, ESQ., JOSEPH J. WIRTH, ESQ.,
ASH MARIE BLACKBURN, ESQ., and JOSEPH W. GUINDY, ESQ., of MAINOR WIRTH,
LLP, Defendants DMITRY PUSTYLNikov and KNIGHT TRANSPORTAION, INC. by and
through their counsel of record JOEL D. ODOU, ESQ., ANALISE N. M. TILTON, ESQ. and
SUSANA SANTANA, ESQ., of WOOD, SMITH, HENNING & BERMAN, LLP, hereby submit
their Stipulated Discovery Plan and Scheduling Order pursuant to Fed R. Civ. P. 26(f) and Local

1 Rule 26-1.

2 **I. Discovery Conducted to Date (LR 26-4(a)):**

3 Both parties have submitted their initial FRCP 26.1 disclosures. Both parties have served
 4 written discovery requests. Plaintiffs have responded to Defendant Dmitry Pustynnikov's
 5 Interrogatories, Requests for Production of Documents, and Requests for Admission. Plaintiffs
 6 have provided Defendants with requested authorizations, allowing Defendants the ability to
 7 request Plaintiffs' medical and employment records for the five years prior to the accident to the
 8 present. Plaintiffs are in the process of obtaining availability for their depositions. Defendants
 9 Dmitry Pustynnikov and Knight Transportation have each responded to Plaintiff Deian Kolev's
 10 Interrogatories, Requests for Production of Documents, and Requests for Admission. On August
 11 31, 2021, Plaintiff served a letter to Defendants requesting supplemental responses to Plaintiff's
 12 written discovery requests. On October 7, 2021 Defendants served supplemental responses and
 13 are obtaining availability for the deposition of Defendant Pustynnikov. Both parties have
 14 supplemented their Initial Disclosures pursuant to FRCP 26.1.

15 **II. Discovery to Be Conducted (LR 26-4(b)):**

- 16 • Deposition of Defendant Pustynnikov;
- 17 • Deposition of Plaintiffs;
- 18 • Deposition of Witness Renzo Cubas;
- 19 • Deposition of Witness Sam Molina;
- 20 • Deposition of Witness Loren Richardson;
- 21 • Deposition of Witness Eric Brand;
- 22 • Additional Written Discovery;
- 23 • Production of Expert Reports;
- 24 • Rebuttal expert witness reports;
- 25 • Treating Physician Depositions; and
- 26 • Expert Depositions

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III. The Reasons the Remaining Discovery Cannot Be Completed Within the Time Limits Set by The Discovery Plan (LR 26-4(c)):

This extension is requested as a result of the continued developments and effects regarding the COVID-19 emergency, which have delayed the ability to obtain independently requested medical records, delayed crucial depositions, and has significantly hindered other remaining discovery in this action. Due to scheduling conflicts, the parties have been unable to schedule the requested depositions. Additionally, all Plaintiffs are still receiving medical treatment for injuries sustained as a result of the subject collision. Accordingly, additional time will be needed to complete the remaining discovery.

IV. Proposed Schedule for Completing All Remaining Discovery (LR 26-4(d)):

The current discovery deadlines are as follows:

- | | |
|---|--------------------|
| 1. Discovery Cutoff (LR 26-1(b)(1)): | December 17, 2021 |
| 2. Amend Pleadings and Add Parties (LR 26-1(b)(2)): | September 20, 2021 |
| 3. Initial Expert Disclosures (LR 26-1(b)(3)): | October 18, 2021 |
| 4. Rebuttal Expert Disclosures (LR 26-1(b)(3)): | November 16, 2021 |
| 5. Dispositive Motions (LR 26-1(b)(4)): | January 17, 2022 |
| 6. Joint Pre-Trial Order (LR 26-1(b)(5), (6)): | February 15, 2022 |

The parties propose extending all discovery deadlines by **sixty (60) days** as follows:

- | | |
|---|-------------------|
| 1. Discovery Cutoff (LR 26-1(b)(1)): | February 15, 2022 |
| 2. Amend Pleadings and Add Parties (LR 26-1(b)(2)): | November 19, 2021 |
| 3. Initial Expert Disclosures (LR 26-1(b)(3)): | December 17, 2021 |
| 4. Rebuttal Expert Disclosures (LR 26-1(b)(3)): | January 15, 2022 |
| 5. Dispositive Motions (LR 26-1(b)(4)): | March 18, 2022 |
| 6. Joint Pre-Trial Order (LR 26-1(b)(5), (6)): | April 16, 2022 |

MAINOR WIRTH, LLP
6018 S. Ft. Apache Rd., Ste. 150, Las Vegas, NV 89148
Phone: (702) 464-5000 | Fax: (702) 463-4440

DATED this 11th day of October, 2021.

MAINOR WIRTH, LLP

/s/ Joseph W. Guindy

ASH MARIE BLACKBURN, ESQ.

Nevada Bar No. 14712

JOSEPH W. GUINDY, ESQ.

Nevada Bar No. 15556

6018 S. Fort Apache Road, Ste. 150

Las Vegas, NV 89148-5652

Attorneys for Plaintiffs

DATED this 11th day of October, 2021.

**WOOD, SMITH, HENNING & BREMAN,
LLP**

/s/ Analise N. M. Tilton

JOEL D. ODOU, ESQ.

Nevada Bar No. 7468

ANALISE N. M. TILTON, ESQ.

Nevada Bar No. 13185

SUSANA SANTANA, ESQ.

Nevada Bar No. 13753

2881 Business Park Court, Ste. 200

Las Vegas, NV 89128

*Attorneys for Defendants Dmitry Pustynnikov
and Knight Transportation, Inc.*

IT IS SO ORDERED.

ORDER


UNITED STATES MAGISTRATE JUDGE

DATED: October 12, 2021

Joey Guindy

To: Analise N. M. Tilton; Ash Blackburn; Natalie Cothran
Cc: Susana Santana; Johana Whitbeck; Lindsay Hayes
Subject: RE: Michaels et al v. Knight - Stipulation

From: Analise N. M. Tilton <atilton@wshblaw.com>
Sent: Thursday, October 7, 2021 12:16 PM
To: Joey Guindy <jguindy@mwinjury.com>; Ash Blackburn <Ash@mwinjury.com>; Natalie Cothran <Natalie@mwinjury.com>
Cc: Susana Santana <ssantana@wshblaw.com>; Johana Whitbeck <jwhitbeck@wshblaw.com>; Lindsay Hayes <Lindsay@mwinjury.com>
Subject: RE: Michaels et al v. Knight - Stipulation

Hi Joey,

Just a few minor changes (tracked on the attached). With those changes you may use my e-signature. Thanks!

Analise N. M. Tilton

Partner | Wood, Smith, Henning & Berman LLP
2881 Business Park Court, Suite 200 | Las Vegas, NV 89128-9020
atilton@wshblaw.com | T (702) 251-4115 | M (702) 249-7399

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MASSACHUSETTS • CONNECTICUT • PENNSYLVANIA • GEORGIA • ILLINOIS • NORTH CAROLINA • SOUTH CAROLINA •
LOUISIANA • NEVADA • TEXAS

From: Joey Guindy <jguindy@mwinjury.com>
Sent: Wednesday, October 6, 2021 5:37 PM
To: Analise N. M. Tilton <atilton@wshblaw.com>; Ash Blackburn <Ash@mwinjury.com>; Natalie Cothran <Natalie@mwinjury.com>
Cc: Susana Santana <ssantana@wshblaw.com>; Johana Whitbeck <jwhitbeck@wshblaw.com>; Lindsay Hayes <Lindsay@mwinjury.com>
Subject: [EXTERNAL] RE: Michaels et al v. Knight - Stipulation

Hi Analise,

Please see the attached proposed stipulation to extend discovery deadlines and let me know if I may use your e-signature.

Thanks,
Joey

JOSEPH W. GUINDY, ESQ.

Associate Attorney

MAINOR WIRTH, LLP

6018 S. Ft. Apache Rd. | Suite 150

Las Vegas, Nevada 89148

Tel: 702.464.5000 | Fax: 702.463.4440

jguindy@mwinjury.com | www.mainorwirth.com